IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1927/07

Karan Singh Choudhary

Versus

State & Ors.

DATE OF ORDER :: 05/11/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Nagendra Mohan Sharma, for petitioner
Mr. Arun Sharma, Public Prosecutor for State

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Instant petition has been filed for quashing of FIR registered against accused-petitioner for offence u/ss.420, 467, 468, 471 & 120-B IPC.

Counsel for petitioner submits that he has filed a civil suit for permanent injunction and so also for declaration against present complainant, which is pending before learned District Judge, Jaipur City, Jaipur. Besides it, FIR was also registered by petitioner against complainant, but the Police after investigation submitted a negative Final Report observing that it is a case of civil nature. As such, FIR registered against him in the facts of instant case cannot be considered on different footing.

This court has gone through the FIR which was registered against accused-petitioner and its contents, prima facie constitutes commission of offence and it is for the Investigating Officer to examine the truth and no opinion can be expressed by this court at this stage.

This court does not find any substance in the misc. petition, the same stands dismissed.

[AJAY RASTOGI],J.